Subject: Re: Flock Info
Date: Tuesday, July 14, 2026 at 10:24:56 PM Central European Summer Time
From: Mark Williams
To: John Bailey
CC: [redacted], [redacted]
Attachments: image001.jpg, image002.jpg

Chief Bailey:

I write regarding the Town's production in response to my public records request of **June 30, 2026**.

I appreciate that the Town moved off the two-to-three-month timeline proposed in your prior July 10 email and produced records within days of my July 10 objection. That was the right call. The production, however, is materially incomplete. This letter identifies what remains outstanding from the June 30 request, invites the Town to explain what its own records appear to show, and makes one supplemental request that I identify as new.

I. ITEM-BY-ITEM STATUS OF THE JUNE 30 REQUEST

Item 1 — Contracts since January 1, 2022. Partially satisfied. The Flock Group, Inc. Law Enforcement Agreement for NC – Kure Beach PD, executed November 10, 2025, was provided. Whether any earlier or other ALPR or surveillance-camera vendor contract existed since January 1, 2022 remains unanswered.

Item 2 — Policy, SOP, directive, or training material. DEFICIENT. The only policy produced is Policy 426, "Automated License Plate Readers (ALPRs)," bearing a **DRAFT watermark and a Lexipol date of July 13, 2026** — thirteen days after my request and after every search reflected in the audits. **No training material was produced**, though the request expressly sought it and Policy 426.4(d) bars any member from operating the system without department-approved training.

Item 3 — Data-sharing agreements, MOUs, or similar arrangements. NOT PRODUCED.

Item 4 — Organization Audit, March 1 – May 31, 2026. DEFICIENT. Produced, but the user, case number, and plate fields are blank in all 825 rows. **If those fields were redacted or withheld, no statutory basis was cited; if the Department does not possess the information or cannot export it, please say so in writing.**

Item 5 — Network Audit, March 1 – May 31, 2026. NOT PRODUCED. Every row of the three audits provided reflects `Org Name: Kure Beach NC PD` — these are Organization audits responsive to Item 4. No Network Audit was produced and no basis for withholding was cited. This is the record showing which outside agencies have searched the Town's cameras.

Item 6 — Event Log, March 1 – May 31, 2026. INCOMPLETE. The log reflects configuration changes only — hotlist entries and network share requests. It contains **no logins and no data-export events**, both expressly requested. Its User column is blank on every entry.

Item 7 — Current network/data-sharing configuration (State, Nationwide, Community, and custom). NOT PRODUCED.

Item 8 — Number and general locations of ALPR cameras. DEFICIENT IN FORM. "Location, Agreement, Invoice, Project Summary" was produced as a **non-searchable image**. My request asked for electronic production, and § 132-6.2(a) permits a requester to obtain copies in any medium the agency is capable of providing — subject to § 132-6.2(e)'s limitation that an agency need not create a new record or place into electronic medium a record not kept electronically.

Item 9 — Invoices, purchase orders, payment records since January 1, 2022. Not separately produced.

II. WHAT THE TOWN'S OWN AUDITS SHOW

I tabulated every row of the three Organization audits. They record **825 searches** between March 2 and May 31, 2026:

Month	Total searches	Coded "Traffic Infraction"	Percent
March 2026	276	43	15.6%
April 2026	282	65	23.0%
May 2026	267	168	62.9%
TOTAL	825	276	33.5%

Also: six searches coded "City Planning/Traffic Analysis," all in March; one search reaching **291 separate camera networks**, and 64 searches reaching more than ten networks each; no user or officer identified in any of the 825 rows; no case number in any row (ten rows contain text — "Vehicle ID 26-068," "x60 Vehicle" — whose column placement cannot be determined from the PDF as produced); and no plate recorded in any row.

Captured plate data is confidential under § 20-183.32(e). The Town has not, however, identified a statutory basis for withholding non-captured audit information — the user, the date and time, and the stated reason for a search — to the extent those fields do not reveal captured plate data, criminal-investigation or criminal-intelligence information under § 132-1.4, or protected system-security information under § 132-6.1(c).

III. THE STATUTORY FRAMEWORK

A. N.C. Gen. Stat. § 20-183.31(b) provides that ALPR data "shall be obtained, accessed, preserved, or disclosed only for law enforcement purposes," and that "[n]otwithstanding, data obtained under the authority of this Article **shall not be used for the enforcement of traffic violations**." "Law enforcement purpose" is defined exhaustively at § 20-183.30(5): (a) actions related to criminal investigations, arrests,

prosecutions, post-conviction confinement, or supervision; (b) apprehending an individual with an outstanding felony warrant; (c) locating a missing or endangered person; and (d) locating a lost or stolen vehicle. An infraction is a noncriminal violation of law not punishable by imprisonment. § 14-3.1(a).

B. Section 20-183.31(a) requires an agency to "**adopt a written policy governing its use before the automatic license plate reader system is operational**," addressing nine subjects including retention, sharing with other agencies, operator training, supervisory oversight, data security and access, and annual or more frequent auditing and reporting to the head of the agency.

C. Section 20-183.32(e) permits disclosure of captured plate data only to a criminal justice officer, for a legitimate law enforcement purpose, and only "pursuant to a written request from the requesting agency." The event log records **dozens of "create shareRequest Network" events on May 18, 2026, between 16:32 and 16:37 UTC** — roughly one every six seconds. **To the extent any of those events involved disclosure of captured plate data, § 20-183.32(e) applies.** To the extent they reflect network permissioning rather than disclosure, they remain responsive to Items 3 and 7.

D. Policy 426.6(a) requires that data be accessible only through a system "capable of documenting all access of information **by name**, date and time."

E. The Flock agreement states a 30-day Retention Period; Policy 426.5 states 90 days; § 20-183.32(a) caps preservation at 90 days.

I note, without alleging a violation, that § 20-183.33 makes it a Class 1 misdemeanor to obtain, access, preserve, or disclose ALPR data "in a manner other than that allowed by the provisions of this Article."

IV. OUTSTANDING ITEMS FROM THE JUNE 30 REQUEST

For the avoidance of doubt: the following are not a new request and do not restart any period. Each was sought by my June 30, 2026 request, and the Town's obligation as to each has been running since that date.

1. **(Item 5)** The **Network Audit** for March 1 – May 31, 2026.
2. **(Item 6)** The **complete Event Log** for March 1 – May 31, 2026, including logins and data exports, with the User field populated.
3. **(Item 4)** The **Organization Audits** with the user and case-number fields populated — or a written statement that the Department does not possess or cannot export that information.
4. **(Item 2)** The **ALPR policy actually adopted and in force** since the system became operational, all versions and amendments, and records showing the date and manner of adoption.
5. **(Item 2) All training records and materials** for ALPR operators.
6. **(Item 3) All data-sharing agreements, MOUs, and similar arrangements**, including the sharing relationships reflected in the May 18, 2026 shareRequest events, and the identity of each counterparty network.
7. **(Item 7)** The **current network/data-sharing configuration**, including State, Nationwide, and Community network participation and any custom sharing. If the Town contends any portion is exempt as system-security or configuration information under § 132-6.1(c), please identify the specific statutory basis and produce all reasonably segregable non-exempt portions.
8. **(Item 8)** "Location, Agreement, Invoice, Project Summary" **in searchable electronic form**, to the extent it is maintained electronically.
9. **(Item 9) All invoices, purchase orders, and payment records** for ALPR services since January 1, 2022.
10. **(Item 1)** Written confirmation whether any earlier or other ALPR or surveillance-camera vendor contract was in effect at any time since January 1, 2022.

If the Town contends that any requested record or field is exempt, confidential, not possessed, not retained, or not reasonably exportable in the requested form, please identify which category applies and cite the specific statutory basis for any withholding or redaction, while producing all reasonably segregable non-exempt portions. Under § 132-6(c), a request may not be denied merely because confidential information is commingled with nonconfidential information, and the agency bears the cost of separation.

V. INVITATION TO EXPLAIN

This Part is **not** a records request and requires no search of files. It is an invitation to respond, in the Town's own words, to what its own records appear to show. I would rather publish the Town's explanation than my inference, and I will report the Town's answer accurately and in full:

(a) The authority for the **276 searches coded "Traffic Infraction"** — one third of all searches in the period, and nearly two thirds of May 2026 — in light of § 20-183.31(b) and Policy 426.4(g), which repeats the statutory prohibition verbatim. I do not assume that a reason code alone establishes how any individual search was used, and I ask whether ALPR data contributed to any citation or charge.

(b) The authority for the **six searches coded "City Planning/Traffic Analysis,"** in light of the exhaustive definition at § 20-183.30(5) and Policy 426.4(a).

(c) Whether an ALPR policy was **adopted before the system became operational** as § 20-183.31(a) requires, and if so, when and by what action.

(d) Whether the Department is **able to identify, for any given search, the person who ran it.**

(e) The Town's **actual retention practice**, reconciling the 30-day contractual period, the 90-day policy, and the 90-day statutory cap.

VI. SUPPLEMENTAL REQUEST (NEW, MADE TODAY)

The following were **not** within my June 30 request. I identify them as new so there is no confusion about which period applies to which records, and I do not contend the June 30 clock governs them:

1. All **maintenance and calibration schedules and records** for the ALPR system. § 20-183.31(c).

2. All **audits of ALPR use and effectiveness**, and all **reports of those audits to the Chief of Police**. § 20-183.31(a)(7); Policy 426.6.1.
3. All **written requests for disclosure** of captured plate data made or received under § 20-183.32(e) since the system became operational.
4. **Organization and Network audits** for every month the system has been operational outside the March–May window, including January, February, June, and July 2026.
5. All records of any **citation, charge, or enforcement action** in which ALPR data was used.

VII. TIMING

My July 10 letter asked the Town to produce the readily available records — the contract, policy, invoices, camera inventory, and any data-sharing agreements — within ten days, with the remaining Flock audit exports to follow promptly thereafter on a rolling basis. That ten-day period expires **July 20, 2026**, and Items 4 through 10 of Part IV fall within it.

As to the Network Audit and the complete Event Log (Items 1 and 2 of Part IV): the Town has already generated three audit exports from the Flock Insights dashboard, so the rolling production contemplated by my July 10 letter is plainly underway and these exports are generated the same way. I ask that they be produced immediately.

Section 132-6(a) requires copies to be furnished "as promptly as possible." If the Town contends any specific record cannot be produced on this schedule, please identify the record, the reason, and the anticipated production date.

Nothing in this correspondence waives any right, claim, or remedy, including those under § 7A-38.3E and § 132-9. I would much rather report the Town's answers than its silence, and I remain available to discuss this at your convenience.

Respectfully,

~Mark

Check Out our Most Recent Video at https://www.youtube.com/watch?v=IsSO1S3CvK8

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From: John Bailey <[redacted]>
Date: Tuesday, July 14, 2026 at 6:32 PM
To: Mark Williams <mwilliams@ricefamilylaw.com>
Subject: Flock Info

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Williams the information pursuant to your request regarding Flock Information has been compiled onto a USB Drive. It is available for pick-up Monday through Friday 9:00 am to 5:00 pm.

Thank you

Chief J.B. Bailey

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